

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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SLAWOMIR OBARSKI,	:	
Plaintiff,	:	<b>Hon. Dennis M. Cavanaugh</b>
v.	:	
LEADING EDGE RECOVERY	:	Civil Action No. 12-CV-3291 (DMC)(MF)
SOLUTIONS, LLC,	:	
Defendants.	:	

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DENNIS M. CAVANAUGH, U.S.D.J.:

This matter comes before the Court upon Defendant Leading Edge Recovery Solutions, LLC (“Defendant”) Motion for Summary Judgment (Jan. 11, 2012, ECF No. 10). Pursuant to Fed. R. Civ. P. 78, stating that the court has the authority to determine the motions on briefs without oral hearings, no oral argument was heard. After considering all submissions, and based upon the following;

**WHEREAS** L. Civ.R. 56.1 requires that “on motions for summary judgment, the movant shall furnish a statement which sets forth material facts as to which there does not exist a genuine issue, in separately numbered paragraphs;”

**WHEREAS** L. Civ. R. 56.1 further requires that “each statement of material facts shall be a separate document (not part of a brief) and shall not contain legal argument or contain legal argument or conclusions of law;”

**WHEREAS** Defendants failed to submit a statement of material facts in support of their

brief, and instead added paragraph in their Brief Memorandum of Law in Support of their Motion;

IT IS on this 17 day of July 2013;

**ORDERED** Defendant's Motion for Summary Judgment is **denied without prejudice**.

s/DENNIS M. CAVANAUGH  
Dennis M. Cavanaugh, U.S.D.J.

Original: Clerk's Office  
cc: Hon. Mark Falk, U.S.M.J.  
All Counsel of Record  
File